IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 34001 of 2007(W)

PETITIONER:

VIJAYAMMA, AGED 50 YEARS,
W/O.PURUSHAN, KAKKANTAYYATHU VEEDU,
PERUMANTHAZHA, CLAPPANA, KOLLAM.

BY ADV. SRI.DILEEP P.PILLAI

RESPONDENTS:
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1. DEPUTY TAHSILDAR,
REVENUE RECOVERY, KARUNAGAPPALLY,
KOLLAM.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY G.P.SRI. BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 34001 of 2007

Dated this the 19th November, 2007

J U D G M E N T

The petitioner challenges Exhibit -P1 demand notice issued under the Revenue Recovery Act. According to the petitioner, she was a surety to an accused in a Sessions Case at a time when the accused was enlarged on bail. Apparently, the bail bond was cancelled and the Court has proceeded against the surety. In my view, petitioner cannot maintain an independent challenge against Exhibit-P1 notice under the Revenue Recovery Act in as much as it seems to be the consequence of an order passed by the Criminal Court. The petitioner may therefore, move the Additional Sessions Court for appropriate reliefs. Subject to this right, the writ petition is dismissed. But in the facts and circumstances of the case, enforcement of Exhibit-P1 shall be kept in abeyance for a period of one month from today to enable the petitioner to take appropriate steps.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007